

STEPHEN M. SMITH, ESQ.

Attorney At Law
2020 Maple Hill Street- Unit 1344
Yorktown Heights, New York 10598

Office: (914) 401-6007

Fax: (914) 470-2539

The application is ☒ granted.
☐ denied.

March 18, 2015

Magistrate Judge Judith C. McCarthy
United States District Court
300 Quarropas Street
White Plains, New York 10601-4150

Nelson S. Román, U.S.D.J.

Dated: March 18, 2015

White Plains, New York 10601

*The parties are Granted
an additional 90 days to
file the Stipulation
of Discontinuance.*

Re: The matter of: **Rose Savio v Kaitlyn Delpozzo, et al**
Case Number: **7:13 CIV 5606 (NSR)**
Our Client: **Rose Savio**

Dear Honorable McCarthy:

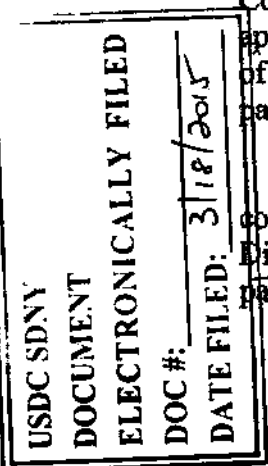
We represent the plaintiff, Rose Savio, in the above entitled product liability matter. On November 18, 2014, via teleconference with the Court, Your Honor was notified that both parties have reached a final settlement in this matter. The referral was deemed "closed" and we were directed to submit a Stipulation of Discontinuance within 120 days.

As part of the settlement, on or about September 23, 2014, all parties entered into a Stipulated Confidentiality Agreement and a Protective Order and the document was filed with the Court. As a result, defense counsel wanted us to make sure the confidentiality extended to the filings in Surrogate's Court.

Subsequently, since the plaintiff in this matter was the executrix of her late daughter's estate with limited Letters Testamentary, my office prepared the petition and supporting documentation for leave to compromise, which was submitted to the Putnam County Surrogate's Court for execution, along with said request for confidentiality.

On or about February 19, 2015, we received notification from the Surrogate's Court that in order for this matter to be sealed in their court, the Judge required a formal application to the Court requesting the proceeding be sealed, along with a Memorandum of Law in support of same. We are in the process of submitting the required, additional papers.

Based on the foregoing, and upon consent of Homer B. Ramsey, Esq., defense counsel, we are respectfully requesting an extension of time to file the Stipulation of Discontinuance until such time as the Surrogate's Court Judge renders his decision on the paperwork and gives his permission to settle this matter at hand. While it is hard to



estimate the caseload and/or time it will take the Surrogate's Court Judge to render his decision, we would ask for an extension of a period of at least ninety (90) days.

Thank you in advance for your time and consideration.

Respectfully submitted,


Stephen M. Smith, Esq.

SMS/br

cc: Herzfeld & Rubin, P.C.
Homer B. Ramsey, Esq.,
Via electronic mail